

REMARKS

In the present Preliminary Amendment, claims 1 and 6-9 have been canceled, claims 2-5 have been amended, and claim 10 has been added. The amendments to claims 2-5 are supported by claims 2-5, respectively, as originally filed. The addition of claim 10 is supported by originally filed claim 5, and the specification. No new matter is believed to be added.

Applicants' representative appreciates the courtesies extended by Examiner Cheu during a telephone discussion of November 22, 2004. During that discussion, Examiner Cheu indicated that a restriction requirement was being made, pursuant to the telephone restriction practice provided in MPEP 812.01, as follows:

- Group I: the subject matter encompassed by claims 1-5;
- Group II: the subject matter encompassed by claim 6; and
- Group III: the subject matter encompassed by claims 7-9.

In response to Examiner Cheu's restriction requirement, Applicants orally elected Group I (claims 1-5) without traverse. In the present Preliminary Amendment, claims 6-9 have been canceled, without prejudice, as being drawn to the non-elected subject matter.


CONCLUSION

In view of the foregoing amendments and remarks, allowance of the application is respectfully requested. The Examiner is invited to contact the undersigned if there are any questions concerning the prosecution of this application.

The Commissioner is authorized to charge Deposit Account 19-3880 (Bristol-Myers Squibb Company) for any requisite fees due or to credit any overpayment.

Respectfully submitted,

Bristol-Myers Squibb Company
Patent Department
P.O. Box 4000
Princeton, NJ 08543-4000
609-252-4091


Paul D. Golian
Attorney for Applicants
Reg. No. 42,591

Date: November 29, 2004